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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,575	06/15/2005	Francesco Gallo	IT020030	9451

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

PHAM, TUAN

ART UNIT PAPER NUMBER

2618

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/538,575	Applicant(s) GALLO, FRANCESCO	
	Examiner TUAN A. PHAM	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7, and 8 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/15/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 06/15/2005 has been considered by Examiner and made of record in the application file.

### ***Specification***

3. The disclosure is objected to because of the following informalities: Please add the appropriate titles to the specification (e.g., Background of the Invention, Summary of the Invention, Brief Description of the Drawings, and Detailed Description, etc.).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**5. Claims 1, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujioka (Pub. No.: US 2002/0193073) in view of Lunsford et al. (U.S. Patent No.: 6,614,350, hereinafter, "Lunsford").**

**Regarding claim 1**, Fujioka teaches a method of operating a first Bluetooth base station and at least one Bluetooth mobile terminal connected to the first Bluetooth base station (see figure 1, master terminal 1, slave terminal 2-11), wherein the first Bluetooth base station receives packets of data and broadcasts received packets of data (see 0044-0067]), and each of the at least one Bluetooth mobile terminal receives the broadcast packets of data (see 0044-0067]), and wherein each of the at least one Bluetooth mobile terminal can be selectively controlled to enter either of a Bluetooth park mode and a Bluetooth active mode (see 0044-0067]), the method characterized by comprising the following steps:

controlling each of the at least one Bluetooth mobile terminal to enter the Bluetooth park mode, and subsequently (see 0044-0067]), and

controlling each of the at least one Bluetooth mobile terminal in the Bluetooth park mode, by sending an unpark/park command to the Bluetooth mobile terminal to enter the Bluetooth active mode and to subsequently return to the Bluetooth park mode (see 0044-0067]).

It should be noticed that Fujioka fails to teach time intervals shorter than a Bluetooth link supervision timeout. However, Lunsford teaches such features (see col.1, ln.1-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Lunsford into view of Fujioka in order to maintain the connection between the master and slave.

**Regarding claim 7**, Fujioka further teaches the data are broadcast as streaming data (see [0035]).

**Regarding claim 8**, claim 8 is rejected the same reason of claim 1.

**6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujioka (Pub. No.: US 2002/0193073) in view of Lunsford et al. (U.S. Patent No.: 6,614,350, hereinafter, "Lunsford") as applied to claim 1 above, and further in view of Van Der Zee et al. (Pub. No.: US 2003/0235202, hereinafter, "Van Der Zee").**

**Regarding claim 2**, Fujioka and Lunsford, in combination, fails to teach the broadcast packets of data received by the first Bluetooth base station are buffered and transmitted with a broadcast data queuing delay, and if the broadcast data queuing delay exceeds a predefined maximum broadcast data queuing delay, broadcasting a buffered packet of data. However, Van Der Zee teaches such features (see [0059-0067]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Van Der Zee into view of Fujioka and Lunsford in order to maintain the connection between the master and slave.

***Allowable Subject Matter***

7. Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Park (U.S. Pub. No.: US 2002/0111178), and Cho (Pub. No. US 2003/0045242) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

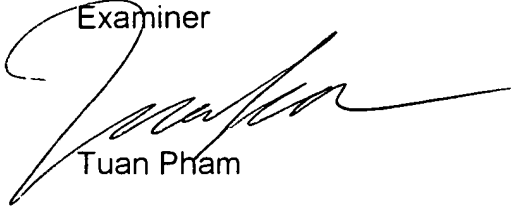
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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618  
August 15, 2006  
Examiner

A handwritten signature in black ink, appearing to read 'Tuan Pham', written over the printed name.

Tuan Pham

Supervisory Patent Examiner  
Technology Center 2600

A handwritten signature in black ink, appearing to read 'Matthew Anderson', written over the printed name.

Matthew Anderson